

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW HAMPSHIRE

Harvey Lemay

v.

Civil No. 11-cv-185-JD

New Hampshire State Police
Department of Sex Offender
Registration

O R D E R

Before the court is Harvey Lemay's complaint (doc. no. 1)¹ alleging that his rights have been violated because he was improperly required to register as a sex offender in New Hampshire. Because Lemay brings this action pro se and in forma pauperis, the matter is before the court for a preliminary review to determine whether the complaint states any claim upon which relief might be granted, see 28 U.S.C. § 1915(e) (2); United States District Court for the District of New Hampshire Local Rule ("LR") 4.3(d) (1) (B), or whether the complaint properly invokes the court's subject matter jurisdiction. See LR 4.3(d) (1) (B) (i).

¹Lemay has attached several documents to his complaint. The documents will be considered to be part of the complaint for all purposes. See Fed. R. Civ. P. 10(c) ("A copy of a written instrument that is an exhibit to a pleading is a part of the pleading for all purposes.").

In a report and recommendation issued simultaneously with this order, the court has found that Lemay has stated a claim for relief under the Fourteenth Amendment but failed to name a proper defendant to the claim. Accordingly, Lemay is granted leave to file an amended complaint, within thirty days of the date of this order, naming the individual defendant or defendants responsible for the alleged violations of Lemay's constitutional rights. Lemay must, with specificity, state what each individual did or failed to do that caused the alleged violation of his due process rights. Lemay must also state what specific relief he seeks in this action.

Failure to file the amendment as directed here will result in the court's recommendation that the complaint be dismissed.

SO ORDERED.



Landya B. McCafferty
United States Magistrate Judge

Date: December 20, 2011

cc: Harvey Lemay, pro se

LBM:jba